# FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLPCENTRAL FAX CENTER 1100 SUPERIOR AVENUE, SUITE 700 CLEVELAND, OHIO 44114 (216) 861-5582 AUG 2 6 2005

DATE:

August 26, 2005

TO:

**Commissioner for Patents** 

ATTENTION:

Art Unit 3747

FACSIMILE NO.:

1 (571) 273-8300

FROM:

Timothy E. Nauman, Reg. No. 32,283

RE:

U.S. Serial No. 10/676,607; filed October 01, 2003

Attorney Docket No.: AGTZ 2 00047

Total number of pages (including this cover sheet): 7

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## PATENT

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

: Davis et al.

**FOR** 

: FUEL PUMP MONITORING SYSTEM

AND ASSOCIATED METHOD

SERIAL NO.

10/676,607

**FILED** 

October 1, 2003

RECEIVED
CENTRAL FAX CENTER

**EXAMINER** 

Unknown

AUG 2 6 2005

ART UNIT

3747

CONFIRMATION NO.

7954

ATTORNEY DOCKET NO.

AGTZ 2 00047

# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir.

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicants submits the following Disclosure Statement concerning art of which the applicants are aware. A copy of Form PTO-1449 is enclosed herewith.

This Information Disclosure Statement shall not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

### CERTIFICATE OF FACSIMILE

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| August 26, 2005 | Many M. Schuner    |
|-----------------|--------------------|
| Date            | U Mary M. Schriner |

The United States Patent and Trademark Office OG Notice dated 12 October 2004 published a final rule revising 37 C.F.R. 1.98 dealing with the content of Disclosure Statements. Paragraph (a)(2) was revised to read in part, "A legible copy of: (i) Each foreign patent; (ii) Each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office." Therefore, Applicants have not enclosed copies of the cited U.S. patents and published patent applications with this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Under § 1.98(a)(3), a concise explanation of relevance is required for information that is not in the English language. Accordingly, the English language documents have no further explanation.

All of the cited and/or included documents were cited in related International Application PCT/US2003/30990. A copy of the Search Report, mailed 27 June 2005, is enclosed.

Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

It is respectfully requested that the document listed on the attached Form PTO-1449 be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP

26 August 2005

Reg. No. 32,383

1100 Superior Avenue, 7th Floor Cleveland, OH 44114-2518

216/861-5582

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PTO/SB/08a (08-03)

Approved for use through 07/31/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE COMPLETE IF KNOWN Substitute for Form 1449/PTO 10/676,607 **Application Number** October 1, 2003 Filing Date INFORMATION DISCLOSURE Brian J. Davis First Named Inventor STATEMENT BY APPLICANT(S) 3747 Art Unit (Use as many sheats as necessary) Examiner Name Unknown AGTZ 2 00047 Attorney Docket No. Sheet 1 of 1 U.S. PATENT DOCUMENTS Name of Patentee or **Publication Date** Examiner Cite Document No. Number-Kind Code (# known) Applicant of Cited Document MM-DD-YYYY initials\* No. Nov. 21, 2002 Lash, et al. US-6,728,605 B2 AA AB AC AD AE AF AĢ AH ΑI ΑJ AK FOREIGN PATENT DOCUMENTS **Publication Date** Name of Patentee or Examiner Cite Foreign Patent Document Applicant of Cited Document Initials\* Nα MM-DD-YYYY Country Code-Number Kind Code (Fknown) **AM** AN AO AP OTHER - NON PATENT LITERATURE DOCUMENTS include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item Examiner Cite (book, magazine, journal, serial, symposium, catalog, etc.), data, page(s), volume-issue number(s), publisher, city and/or country where published Initials\*

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